

Your Unemployment Benefit Rights and Responsibilities

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Please carefully read the information below.

The Virginia Employment Commission (VEC) administers the unemployment insurance program that provides temporary financial assistance to individuals who become unemployed through no fault of their own. Benefits are paid through taxes on

employers covered under the Virginia Unemployment Compensation Act. No part of the cost of your unemployment benefits is deducted from your earnings. **Your name and social security number will be cross-matched with the Social Security Administration to verify your identity. To receive benefits you must meet each of the following:**

Monetary qualification; Separation qualification; and Weekly eligibility requirements

This document explains these requirements and will assist you in filing for benefits. Read it carefully and retain it for your records. Note: If you reside in another state and filed your claim against Virginia, you are subject to Virginia's unemployment laws, rules, regulations, and the requirements contained in this document.

Partial Unemployment Benefits—If you have filed a claim for partial unemployment benefits because your normal and customary hours have been reduced but you have not been separated from your job, you will receive a separate list of instructions from the Virginia Employment Commission advising you of the requirements you must follow. You may also access this same information at www.vec.virginia.gov [1]under Forms/Publications - Claimant, "Instructions to Partial Claimants".

Monetary qualification—In a separate mailing you will receive your monetary determination. Review it carefully. Based on the wages earned during the regular base period, **this determination will indicate the benefit amount you qualify for each week and the number of weeks you may receive benefits.** The **regular base period** consists of the first four of the last five completed calendar quarters prior to the effective date of your claim. If you feel the wages shown on the determination are incorrect, call **1-866-832-2363** or mail your proof of correct wages and a letter to Virginia Employment Commission, Monetary Determinations Unit - Room 200, P. O. Box 1358, Richmond, Virginia 23218. If you do not have enough wages to qualify for benefits during the regular base period, you may monetarily qualify under the **alternate base period** that includes wages from the last four completed calendar quarters at the time your claim is filed. If any wages shown on this form do not belong to you, you must report this to the Virginia Employment Commission immediately. Failure to do so may result in an overpayment of benefits that you will be required to repay.

The base period is set by law and will not change during the life of your unemployment claim. If you qualify monetarily, your claim remains in effect for one year. This period is called a **benefit year**.

Separation qualification—Even though you may have enough earnings to qualify, there are circumstances that may prevent you from receiving unemployment benefits. If you are separated for any reason other than lack of work, it will be necessary to gather facts from you and your employer concerning your separation. Your employer will be sent a questionnaire requesting information concerning your employment and separation. You will be called by a VEC deputy and be given an opportunity to present your information and review that of your employer. The deputy will make a determination regarding your qualification based on the separation information presented. You will be

disqualified if the deputy determines that you quit your job without good cause, or you were fired from your job for misconduct in connection with your work. You and your employer have the right to appeal the deputy's determination if either of you disagrees with the results.

Weekly Request—To receive a payment for benefits, you must file a weekly request for each week you wish to claim. You must meet the weekly eligibility requirements listed below.

Your **benefit week** begins on Sunday and ends at midnight on Saturday. You cannot claim the week until it is completely over. The first week you meet the weekly eligibility requirements will be your **waiting period week**. **You will not receive a benefit payment for the waiting period week. Your first payment, if you are qualified, will be issued to you after you have served your waiting week and are eligible to receive benefits for the second week claimed.** Note: If your eligibility for benefits must be determined by a deputy, it is very important that you call to file your weekly claim as soon as possible and not wait until you are contacted to give your separation statement or for the deputy's decision. **If you file an appeal, you must continue to meet the weekly eligibility requirements (explained below) and file your weekly claim within 28 days of the most recent week claimed ending date explained below.**

Weekly Eligibility Requirements

1. To avoid denial of benefits, **you must file your first weekly claim within 28 days** of the date you filed your initial/new claim. For example, if you filed your claim on January 2, your first weekly claim must be filed by January 30. Subsequent weekly claims for benefits must be filed within 28 days of the Saturday date of the week claimed. For example, if your last week claimed ended on Saturday, February 4, then your subsequent weekly claim must be filed no later than March 4. **The Voice Response System and the Internet will not allow you to claim benefits for weeks that are more than 28 days old.**
2. **You must be able to work and be available for work.** Most claimants are required to make an **active search for work**. In addition to making an active search for work, **you must register online at www.vawc.virginia.gov, [2]the VEC, or a workforce services agency where you live** if you live outside Virginia. You must contact several employers each week in your effort to find work. **Note: Responses to blind ads for jobs or openings are not acceptable as job contacts. A blind ad would be any job announcement or advertisement where the name of the employer/company is not provided. You must provide the name of the employer/company for any work search contact that you report on your weekly claim filing to the Virginia Employment Commission. You must maintain complete and accurate records of your work search contacts for one year for auditing purposes. You must provide the VEC, when requested, the following information that is subject to verification:**
 - Month, day, year of contact;
 - Complete name of employer contacted;
 - Complete address (street, P.O. Box number, city, state, zip code) of employer contacted;
 - First and last name of the individual for the employer/company with whom you talked;
 - Telephone number of the employer; fax number; and e-mail or web address;
 - Type of work or position for which you applied; and
 - Result of contact.

Failure to provide requested information may result in a denial of benefits and could result in overpaid benefits that you must repay to the Commission. Reported work search contacts are randomly verified and if it is found you falsely reported contacts in order to obtain benefits, you will be subject to a 52 week ineligibility period, or longer if any resulting overpayment of benefits is

not repaid in full by the end of the 52 week period.

3. You must be willing to **accept suitable work** if offered and **apply for suitable work** when referred to a job by the VEC or your workforce services agency if you live outside Virginia. The term **suitable work** takes into account many factors such as previous work experience, physical and mental fitness, risk to your health, safety, or morals, and the distance from your home. Conditions of the work offered, such as wages and hours, are also considered. If you refuse a job or a VEC/workforce services agency referral to a job, you must report it on your weekly claim filing during the week in which it occurs. A deputy will review the suitability of the work and your reason(s) for refusing it before issuing a determination on your continuing eligibility.
4. You must **report all wages earned for any work, including temporary, part-time, and self-employment, for the week they are earned (not when paid)**. If you work and your **gross income** for the week is less than your weekly benefit amount, that gross amount less \$50 will be deducted from your weekly benefit amount. If your gross earnings equal or exceed your weekly benefit amount, you will not receive benefits for that week. **Report your return to full-time work when you file your weekly claim for benefits for the week that you first report to the job. Be sure to report your earnings right away, regardless of when you get paid, or you may receive benefits that you have to repay.**
5. You must report the receipt of **holiday, vacation, and severance pay**. **Holiday or vacation pay** must be reported for the week in which it applies and will be deducted like wages from your weekly benefit amount. The deputy may issue a determination based on information provided by you and your employer concerning the effect of **severance pay** on your weekly benefit amount.
6. If you receive a **pension, retirement, Worker's Compensation, or other annuity**, it will be deducted from your weekly benefit amount if it is paid by your most recent employer of 30 days or 240 hours or more, or from any employer in the base period of your claim (as shown on your monetary determination). These payments will be deducted dollar-for-dollar from your weekly benefit amount. If your weekly **pension, retirement, or annuity** equals or exceeds your weekly benefit amount, you will be ineligible for unemployment benefits for that week.
7. You may receive benefits if enrolled in **training or school** depending upon the course of study and the required attendance each week. If you desire to attend training or school to improve your employment possibilities, **you must request approval in advance** through the VEC. The VEC will determine if your training or schooling is approved and advise you about work search requirements while you are in school or training. **Training or schooling approval may be requested by contacting your nearest VEC office or by calling 1-866-832-2363.**
8. If you are advised to **call or report to the VEC**, you must respond as directed. **Respond to all VEC letters**, including those advising you of potential job openings, within the period indicated in the letter. If there is a question about your claim, you will be asked to call the VEC. **Failure to report or call as directed may result in the denial of benefits.**

PIN Number

After you file your claim, **you will receive a six-digit Personal Identification Number (PIN) through the mail**. This number is important and should be carefully guarded. **The PIN and your Social Security number will be required every time you claim weekly benefits or inquire about the status of your claim.** If you lose your PIN, contact the VEC immediately at 1-866-832-2363 to request a copy of your PIN, and it will be mailed to you.

Address Change

If you change your address or telephone number, or the address or telephone number shown on VEC documents is incorrect, you may correct this information by calling 1-866-832-2363. You must provide your Social Security number and PIN. If an appeal is pending, report the address change even if you are no longer receiving benefits. If changing your address by letter, you must include your Social Security number **and signature**.

Electronic Payments

When filing your claim for benefits, you selected either direct deposit or a Virginia Debit MasterCard as your payment method. It takes two (2) business days for your funds to be deposited into your account after your weekly claim has been processed. You can change your method of payment online at www.vec.virginia.gov [3] or by calling the VRS at **1-800-897-5630**.

Correspondence

Always include your Social Security number in your correspondence with the VEC.

Receipt Of Benefits To Which You Are NOT Entitled

If you receive benefits to which you are not entitled, you will be required by law to repay them along with any costs, fees, and interest associated with collection. This includes amounts paid while an appeal by your former employer is pending prior to a decision being rendered against you, and amounts paid because you did not notify us of information which would have reduced or eliminated your benefit entitlement.

False Statements To Obtain Benefits

Always provide complete information and answer all questions truthfully. Do not make false statements to obtain benefits. If you make a false statement or misrepresentation, or have knowingly failed to disclose a material fact, to obtain or increase benefits, **you may be subject to a fine and/or imprisonment** and be prevented from receiving future benefits for 52 weeks (or longer if the overpayment is not repaid in full).

Cancellation Of Benefits Request

If you wish to cancel your initial claim and not file for benefits, your cancellation request must be made in writing within 30 days after your claim is filed. The final date for the cancellation request is the same as the final date for appeal shown on your monetary determination. You cannot cancel your claim if 1) you have been paid benefits, or 2) a non-monetary determination has been rendered by a deputy based on your reason for separation from employment. If you cancel your claim, it will be deleted from the Virginia Employment Commission system and you will have to reapply if you later decide to pursue a claim. Your claim will be made effective the Sunday of the week during which you reapply for benefits.

IMPORTANT THINGS TO REMEMBER

- **Report all gross earnings during the week you work, not when you get paid**
- **Report all separations from any employment during the week in which the separation occurs**
- **Review your Monetary Determination closely and report any wages that need to be added or deleted from the Determination**

- **Make sure you accurately report all work search contacts during the week being claimed and be sure you have the company/employer name on any contact you report to the VEC**

Filing Your Weekly Claim for Benefits

You may file your continued weekly claim **over the Internet at www.vec.virginia.gov** [3] or through the automated **Voice Response System (VRS) at 1-800-897-5630**. The Internet or VRS can also be used to obtain information about an appeal to which you are a party, information about VEC offices and phone numbers, as well as general information about unemployment insurance claims, and change your electronic payment method. The VRS can be used to obtain specific information about your benefit account, such as the date your benefit payment was processed. **Before attempting to file your weekly claim, have your Social Security number, PIN, and job contacts ready.** If you choose not to file over the Internet, you must file your weekly claim telephonically using the VRS.

Internet filing is available 24 hours a day, 7 days a week.

TTY users please note: To file continued weekly claims by phone, **TTY users should call Virginia Relay at 711 and instruct the operator to dial 1-866-241-9978**. Out-of-state TTY users may use the same procedure.

You must use a touchtone phone to utilize the Voice Response System.

The VRS is available:

	Sunday (9 a.m. - Midnight)
Monday (4:30 a.m. - 7:30 p.m.)	
Tuesday (7:30 a.m. - 7:30 p.m.)	
Wednesday (7:30 a.m. - 5:30 p.m.)	
Thursday (7:30 a.m. - 7:30 p.m.)	
Friday (7:30 a.m. - 5:30 p.m.)	
Saturday & Holidays (9:30 a.m. - 4:30 p.m.)	

VRS TIPS

To hear instructions in English, Press 1 or Spanish, Press 2.

To reach claim and benefits, Press 1.

To file your weekly claim for benefits, Press 2. Enter your 9 digit Social Security number. Enter your 6-digit PIN. If you are advised by the VRS that you do not have an "open week," call the VEC Customer Contact Center at 1-866-832-2363 to report the problem. Listen carefully to the questions asked and enter information only for the week being claimed.

Enter the number of contacts you made for work, followed by the # key. For example, if you made three job contacts, enter **3#**

If you made contacts for work, you may be asked to say the names of the employers contacted. **Speak clearly.** For example, if reporting 3 contacts say, "ABC Company; Food Shopping Warehouse; and Video Electronics."

To report earnings, remember to report the gross amount (before any deductions) during the weekly

filing process. When asked to enter the amount you earned before any deductions, enter the amount in dollars and cents followed by the # key. You must enter cents, even if zeros. For example, to report earnings of \$135.00, enter **13500#**

If your response requires you to enter a date, enter MMDDYY. For example, if the date you returned to work was May 21, 2012, enter **052112**

After you answer all questions, you will be informed whether your claim can be processed for payment. If an answer to any of the questions results in an eligibility issue on your claim, no payment can be made until the issue is resolved. You will be contacted in the near future by a VEC staff person to address the issue. **Important—Stay on the line until the VRS tells you it is okay to hang up.**

Other VRS Options

If you wish to obtain specific information about your benefit account, such as payment date, press 1. Enter your 9 digit Social Security number. Enter your 6-digit PIN.

If you wish to change your electronic payment method, press 3.

For details about an appeal to which you are a party, press 4. Enter your Social Security number. Enter the Appeal Docket Number (found on your Notice of Appeal).

To locate the VEC office in your area, press 5. Enter your 5-digit zip code.

For general information on unemployment insurance claims, press 6.

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Source URL:

<http://www.vec.virginia.gov:80/unemployed/resources/your-unemployment-benefit-rights-and-responsibilities>

Links:

- [1] <http://www.vec.virginia.gov:80/>
- [2] <http://www.vawc.virginia.gov/>
- [3] <http://www.vec.virginia.gov/>